

Application Serial No. 10/736,518
Reply to Office Action dated February 2, 2006

REMARKS/ARGUMENTS

On page 2 of the Office Action, the Examiner outlines a restriction between claims 1-26 drawn to a dishwasher and claim 27 drawn to a method of performing a washing operation in a dishwasher. The Examiner argues that the inventions are distinct as the method presented in claim 27 can be practiced by another apparatus, such as one without a controller, a tub and without a door assembly as claimed. This restriction is respectfully traversed.

Initially, the Examiner's basis for the restriction concerning the method claim not requiring a tub or door is not correct. In Addition, the Applicant respectfully submits that examining the method claim together with the apparatus claims presented in the present application would not create a burden on the Examiner, particularly given that claim 27 and at least claim 18 contain corresponding subject matter. That is, claim 18 is directed to a dishwasher having a tub that defines a washing chamber, a partition wall that extends downward from a top wall of the tub at a position between opposing side walls to define first and second wash zones, a door mounted for movement relative to the tub to close the washing chamber and a controller for selectively performing a washing operation in either or both of the first and second wash zones. Correspondingly, claim 27 is directed to a method of performing a washing operation in a dishwasher including a wash chamber (tub) having a partition at least partially dividing the wash chamber into first and second wash zones comprising loading dishware onto dishracks located in at least one of the first and second wash zones, closing a door of the dishwasher to seal-off both of the first and second wash zones and initiating a washing operation selectively in the first wash zone, the second wash zone or both the first and second wash zones. The Applicant respectfully submits that given the corresponding subject matter presented in at least claims 18 and 27, it would not present a burden on the Examiner to examine claims 1-27 of the present application.

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In any event, to fully respond to the Office Action as required by the M.P.E.P., the Applicant elects, with traverse, claims 1-26 for initial examination in the application. Regardless, based on the above remarks, the Applicant respectfully requests the Examiner to withdraw the restriction requirement presented in connection with the above-identified U.S. patent application and examine claims 1-27. If the Examiner should have any additional questions or concerns regarding this matter, she is cordially invited to contact the undersigned at the number provided below if it would further expedite prosecution.

Respectfully submitted,



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